

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY

AUGUST 2, 2004

FROM: CITY MANAGER



1. ROLL CALL: 5:38 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Fred Ronstadt, Council Members Jose J. Ibarra, Carol West, Kathleen Dunbar, Shirley Scott, and Steve Leal, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: James Keene, City Manager
Mike Letcher, Deputy City Manager
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Ichibei Honda, Japanese Christian Community of Tucson, after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Presentation of awards from the Arizona Department of Commerce to local businesses for job training programs.
- b. Proclamation – Proclaiming August 20, 2004, as the 229th Anniversary of the founding of the City of Tucson.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – AUG2-04-392</p> <p>a. Council Member Dunbar announced the Tropicana Hotel is scheduled to be demolished on Wednesday, August 4th.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – AUG2-04-392 (cont'd from previous page)

b. Council Member Scott announced:

1. The 4th Annual Back to School Bash will be this Saturday, August 7th from 7:00 am. to noon.
2. Due to the Phase II construction, the entire Clements Center Complex, including Ward 4 Council Office, will be closed Friday, August 13th. The Clements Center and the pool will also be closed Saturday, August 14th.
3. On Monday, August 30th at 9:30 a.m., there will be a re-opening of the Miller Golf Links Library.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS AUG2-04-393

City Manager, James Keene, announced:

- a. Transportation staff and contractors are out in force improving streets as part of the Road Recovery Program. Since July 1, crews have cracksealed about 17 miles of sidewalks. Two of the larger projects began last week; the resurfacing of First Avenue from River Road to Prince Road and Grant Road from Country Club to Alvernon Way.
- b. Professional Transit Management (PTM), which manages Sun Tran and members of Teamsters Local 104 were able to come to an agreement and settle on a new contract that runs through July 31, 2007.
- c. Tucson Police Department is undergoing a reaccreditation assessment process to update the accreditation received from CALEA (Commission on Accreditation for Law Enforcement Agencies) in 2001. Agency employees and members of the community are invited to offer comments on TPD and its operations in a public information session scheduled for Monday, August 16th at 7:00 p.m. at the Patrick K. Hardesty public meeting room.
- d. The City of Tucson's Director of Human Resources, Terri Traaen, has been notified of her induction to the ASU College of Public Programs – Hall of Fame.

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS
AUG2-04-393 (cont'd from previous page)

- e. The Historic Depot has been recognized with the Governors Statewide Heritage Preservation Honors Award, which is 1 of 10 in the state.
- f. Congratulations to Emily Nottingham and the Community Services Department. The Department has been selected as the Arizona Housing Authority of the Year by the Arizona Housing Directors' Association.

5. LIQUOR LICENSE APPLICATIONS – AUG2-04-391

COLORS FOOD & SPIRITS, CITY # 036-04
TERRAZAS RESTAURANT, CITY# 037-04
THE WING FACTORY, CITY # 039-04
SMOKIN' A BARBECUE PLACE, CITY# 041-04
SUNFLOWER MARKET, CITY # 034-04
58 DEGREES & HOLDING COMPANY, CITY # 035-04
MCMAHONS STEAKHOUSE, CITY # 040-04
ARIZONA QUARTER RACING ASSOC., CITY # T057-04
TUCSON BREAKFAST LIONS CLUB, CITY # T058-04

Council Member Ibarra MOVED, SECONDED by Council Member West to direct staff to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

R & D UNION, INC., CITY # 033-04

Council Member Leal MOVED, SECONDED by Council Member Scott to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

5. LIQUOR LICENSE APPLICATIONS – AUG2-04-391 (Cont'd from previous page)

PARK AVE BAR & GRILL, CITY # 038-04

Council Member Leal MOVED, SECONDED by Council Member Dunbar to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 7 to 0.

6. C O N S E N T A G E N D A

*****ITEMS “G”, “L”, “V”, “W”, “X”, “Y”, “BB”, “EE”, “LL” AND “NN” WERE DELETED FROM THE CONSENT AGENDA *****

- A. GRANT AGREEMENT: WITH THE ARIZONA CRIMINAL JUSTICE COMMISSION FOR DRUG CONTROL AND SYSTEM IMPROVEMENT – AUG2-04-396

RESOLUTION NO. 19884

CITY ATTORNEY

- B. AWARD AGREEMENT: WITH THE ARIZONA ATTORNEY GENERAL FOR A VICTIMS' RIGHTS IMPLEMENTATION ASSISTANCE PROGRAM – AUG2-04-395

RESOLUTION NO. 19885

CITY ATTORNEY

- C. TUCSON CODE: AMENDING (CHAPTER 11) RELATING TO REGULATION OF DRINKING ESTABLISHMENTS TO CONFORM TO CHANGES IN STATE LAW – AUG2-04-394

ORDINANCE NO. 10007

CITY ATTORNEY

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>D. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON YOUTH DEVELOPMENT FOR YOUTH EMPLOYMENT SERVICES – AUG2-04-403</p> <p>RESOLUTION NO. 19886</p>	<p><u>DIR. OF NEIGH. SERVICES</u></p>
<p>E. AGREEMENT: FACILITIES DEVELOPMENT AGREEMENT WITH AMPHI LITTLE LEAGUE FOR A SNACK BAR AT JACOBS DISTRICT PARK – AUG2-04-404</p> <p>RESOLUTION NO. 19887</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>F. REAL PROPERTY: SALE OF SURPLUS PROPERTY LOCATED AT 2205 EAST SPEEDWAY BOULEVARD TO ANNE C. GRAHAM-BERGIN – AUG2-04-414</p> <p>ORDINANCE NO. 10012</p>	<p><u>DIR. OF TRANS</u></p>
<p>H. REAL PROPERTY: CONVEYANCE OF SURPLUS PROPERTY IN THE SOUTH PARK NEIGHBORHOOD TO HABITAT FOR HUMANITY – AUG2-04-398</p> <p>ORDINANCE NO. 10008</p> <p>Clerical correction to the Quitclaim Deed, Exhibit B to Ordinance 10008; the amount shown should be \$1 not \$10.</p>	<p><u>DIR. OF TRANS</u></p>
<p>I. REAL PROPERTY: CONVEYANCE OF ALLEY RIGHT-OF-WAY LOCATED NEAR 22ND STREET AND CAMINO SECO TO ROLLING HILLS COUNTRY CLUB VILLAS CORPORATION – AUG2-04-399</p> <p>ORDINANCE NO. 10009</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

J.	GRANT APPLICATION AND AGREEMENT: WITH THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR AN ART LIBRARY PARTNERSHIP – AUG2-04-400 RESOLUTION NO. 19890	<u>DIR. OF LIBRARY</u>
K.	GRANT APPLICATION AND AGREEMENT: WITH THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR CUSTOMER MANAGED PUBLIC ACCESS COMPUTERS – AUG2-04-401 RESOLUTION NO. 19891	<u>DIR. OF LIBRARY</u>
M.	INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR A JOINT HOUSING PROGRAM FOR PEOPLE WITH AIDS – AUG2-04-406 RESOLUTION NO. 19893	<u>DIR. OF COMM. SERVICES</u>
N.	GRANT: ACCEPTANCE OF A UNITED STATES LAW ENFORCEMENT TRIBUTE ACT GRANT AWARD FOR COMPLETION OF THE MEMORIAL PLAZA AT THE MAIN POLICE FACILITY – AUG2-04-407 RESOLUTION NO. 19894	<u>POLICE CHIEF</u>
O.	AGREEMENT: WITH PIMA ASSOCIATION OF GOVERNMENTS FOR TRANSPORTATION PLANNING AND PROFESSIONAL SERVICES – AUG2-04-408 RESOLUTION NO. 19895	<u>DIR. OF TRANS</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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<p>P. AWARD APPLICATION: FOR THE LEAGUE OF AMERICAN BICYCLISTS – BICYCLE FRIENDLY COMMUNITY PLATINUM AWARD 2006 (CONT'D FROM MEETING OF JUNE 28, 2004) – AUG2-04-409</p>	<p><u>DIR. OF TRANS</u></p>
<p>Q. FINANCIAL PARTICIPATION AGREEMENTS: WITH VARIOUS OUTSIDE AGENCIES FOR FISCAL YEAR 2005 – AUG2-04-410</p> <p>RESOLUTION NO. 19896</p>	<p><u>DIR. OF BUDGET AND RESEARCH</u></p>
<p>R. TUCSON CODE: AMENDING (CHAPTER 22) PROVIDING TUCSON SUPPLEMENTAL RETIREMENT SYSTEM MEMBERS THE ABILITY TO TRANSFER EXISTING PENSION SERVICE CREDITS FROM ANOTHER GOVERNMENTAL RETIREMENT SYSTEM – AUG2-04-412</p> <p>ORDINANCE NO. 10011</p>	<p><u>DIR. OF FINANCE</u></p>
<p>S. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO UDALL PARK PLAY FIELD (RESOLUTION 19217) – AUG2-04-415</p> <p>RESOLUTION NO. 19897</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>T. INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO WILLIAM M. CLEMENTS CENTER (RESOLUTION 19217) AUG2-04-416</p> <p>RESOLUTION NO. 19898</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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U.	INTERGOVERNMENTAL AGREEMENT AMENDMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO QUINCIE DOUGLAS POOL (RESOLUTION 19217) – AUG2-04-417 RESOLUTION NO. 19899	<u>DIR. OF PARKS AND RECREATION</u>
Z.	TRANSPORTATION: AUTHORIZATION FOR THE TRANSPORTATION DEPARTMENT TO SUBMIT FEDERAL TEA-21 TRANSPORTATION ENHANCEMENT PROPOSALS – AUG2-04-426 RESOLUTION NO. 19905	<u>DIR. OF TRANS</u>
AA.	FINANCE: SALE OF CERTIFICATES OF PARTICIPATION FOR CAPITAL IMPROVEMENTS, SERIES 2004-A – AUG2- 04-427 RESOLUTION NO. 19883	<u>DIR. OF FINANCE</u>
CC.	REAL PROPERTY: RESCINDING RESOLUTION 19781 AND ACQUISITION OF A LARGER WELL SITE FOR THE SILVERBELL WEST ISOLATED WATER SYSTEM – AUG2- 04-428 RESOLUTION NO. 19906	<u>DIR. OF WATER</u>
DD.	REAL PROPERTY: RESCINDING RESOLUTION 19479 AND ACQUISITION OF PROPERTY SOUTHWEST OF THORNYDALE AND MAGEE ROADS FOR A POTABLE WATER SUPPLY WELL – AUG2-04-430 RESOLUTION NO. 19908	<u>DIR. OF WATER</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

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FF.	REAL PROPERTY: LEASE OF SITE FOR A TEMPORARY WATER STORAGE TANK FOR THE DIAMOND BELL ISOLATED SYSTEM – AUG2-04-429 RESOLUTION NO. 19909	<u>DIR. OF WATER</u>
GG.	APPROVAL OF MINUTES – AUG2-04-434	<u>CITY CLERK</u>
HH.	MEMORANDUM OF UNDERSTANDING: WITH THE HISPANIC AMERICAN POLICE COMMAND OFFICERS ASSOCIATION FOR THE CLOSING THE GAP PROJECT AUG2-04-432 RESOLUTION NO. 19910	<u>POLICE CHIEF</u>
II.	MEMORANDUM OF UNDERSTANDING: WITH THE HISPANIC AMERICAN POLICE COMMAND OFFICERS ASSOCIATION FOR THE MADRINA-PADRINO PUBLIC SAFETY PROJECT – AUG2-04-433 RESOLUTION NO. 19911	<u>POLICE CHIEF</u>
JJ.	INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY EDUCATION REVENUE BONDS – AUG2-04- 424 RESOLUTION NO. 19904	<u>DIR. OF ECON. DEVELOPMENT</u>
KK.	INDUSTRIAL DEVELOPMENT: AUTHORIZATION FOR THE ISSUANCE OF TUCSON INDUSTRIAL DEVELOPMENT AUTHORITY SINGLE FAMILY MORTGAGE REVENUE BONDS – AUG2-04-425 RESOLUTION NO. 19912	<u>DIR. OF ECON. DEVELOPMENT</u>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>MM. REAL PROPERTY: DEDICATION OF CITY PROPERTY AS RIGHT-OF-WAY AND SALE OF SURPLUS PROPERTY TO MIGUEL R. FUENTEVILLA AND SONYA N. SOTINSKY – AUG2-04-413</p> <p>ORDINANCE NO. 10018</p>	<p><u>DIR. OF TRANS</u></p>
<p>OO. REAL PROPERTY: CONVEYANCE OF PORTIONS OF BRITANNIA DRIVE RIGHT-OF-WAY, BETWEEN VALENCIA ROAD AND ALVERNON WAY TO AMERICAN TITLE INSURANCE COMPANY AS TRUSTEE UNDER TRUST NUMBER 4941 – AUG2-04-442</p> <p>ORDINANCE NO. 10022</p>	<p><u>DIR. OF TRANS</u></p>
<p>PP. ASSURANCE AGREEMENT: (S02-017A) TIERRA VISTA II SUBDIVISION, LOTS 14 TO 19, 54 TO 98, 286 TO 298, 310 TO 338, 345 TO 371 AND COMMON AREAS “A”, “B”, AND “C” – AUG2-04-443</p> <p>RESOLUTION NO. 19917</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>QQ. FINAL PLAT: (S02-017A) TIERRA VISTA II SUBDIVISION, LOTS 14 TO 19, 54 TO 98, 286 TO 298, 310 TO 338, 345 TO 371 AND COMMON AREAS “A”, “B”, AND “C” – AUG2-04-444</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>Council Member West MOVED, SECONDED by Council Member Dunbar that items on the Consent Agenda (Except “G”, “L”, “V”, “W”, “X”, “Y”, “BB”, “EE”, “LL”, and “NN”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

- G. BOARDS, COMMITTEES AND COMMISSIONS:
SUNSETTING THE CITIZEN PARTICIPATION ADVISORY
COMMITTEE – AUG2-04-397

RESOLUTION NO. 19889

Council Member Dunbar MOVED, SECONDED by Council
Member West to pass and adopt Resolution No. 19889.

Motion PASSED by a vote of 5 to 2 (Council Members Scott and
Leal dissenting)

On a second roll call vote for the sole and separate purpose of
amending the Resolution to include the emergency clause, the vote
was 7 to 0.

CITY CLERK

- L. LIBRARY: NAMING THE PROPOSED MIDTOWN BRANCH
LIBRARY THE MARTHA COOPER BRANCH LIBRARY AND
LEARNING CENTER – AUG2-04-402

RESOLUTION NO. 19892

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member
West to pass and adopt Resolution No. 19892.

Motion PASSED by a vote of 7 to 0.

DIR. OF LIBRARY

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>V. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH MARLENE BACHMANN – AUG2-04-419</p> <p>RESOLUTION NO. 19900</p> <p>W. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH CARMELA CID – AUG2-04-420</p> <p>RESOLUTION NO. 19901</p> <p>X. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH HARVEY MORDKA – AUG2-04-421</p> <p>RESOLUTION NO. 19902</p> <p>Y. PRE-ANNEXATION AND DEVELOPMENT AGREEMENT: WITH LANCE WAYNE DUCY – AUG2-04-422</p> <p>RESOLUTION NO. 19903</p> <p>Vice-Mayor Ronstadt MOVED, SECONDED by Council Member West to pass and adopt Resolution Nos. 19900, 19901, 19902 and 19903.</p> <p>Motion <u>PASSED</u> by a vote of 4 to 3 (Council Members Ibarra, Scott and Leal dissenting).</p>	<p><u>URBAN PLANNING & DESIGN</u></p>
<p>BB. REAL PROPERTY: SALE OF RIGHTS-OF-WAY AND GRANTING OF A TEMPORARY REVOCABLE EASEMENT ON PORTIONS OF 10TH STREET BETWEEN 5TH AVENUE AND TOOLE AVENUE TO THE CONGRESS TAP ROOM, INC., FOR THE HOTEL CONGRESS – AUG2-04-418</p> <p>ORDINANCE NO. 10013</p> <p>ORDINANCE NO. 10014</p>	<p><u>DIR. OF TRANS</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>BB. REAL PROPERTY: SALE OF RIGHTS-OF-WAY AND GRANTING OF A TEMPORARY REVOCABLE EASEMENT ON PORTIONS OF 10TH STREET BETWEEN 5TH AVENUE AND TOOLE AVENUE TO THE CONGRESS TAP ROOM, INC., FOR THE HOTEL CONGRESS – AUG2-04-418 (Cont'd from previous page)</p> <p>Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance Nos. 10013 and 10014 and add that the \$116,235 generated, be used for construction mitigation from the 4th Avenue Construction Project.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF TRANS</u> Is responsible</p>
<p>EE. TUCSON CODE: AMENDING (CHAPTER 8) INCREASING THE DEFAULT FEE FOR FAILURE TO APPEAR IN TUCSON CITY COURT FOR CASES INVOLVING A CIVIL TRAFFIC VIOLATION, CIVIL VIOLATION, CIVIL INFRACTION OR CIVIL PARKING INFRACTION – AUG2-04-411</p> <p>ORDINANCE NO. 10010</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10010.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>CITY COURT</u></p>
<p>LL. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR LOW-INCOME UTILITY BILL ASSISTANCE PROGRAM – AUG2-04-405</p> <p>RESOLUTION NO. 19913</p> <p>Council Member Dunbar MOVED, SECONDED by Council Member West to pass and adopt Resolution No. 19913.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF WATER</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

NN. AGREEMENT: WITH THE PIMA COUNTY FLOOD
CONTROL DISTRICT AND THE US ARMY CORPS OF
ENGINEERS FOR THE EL RIO MEDIO FEASIBILITY STUDY
OF THE SANTA CRUZ RIVER – AUG2-04-441

RESOLUTION NO. 19916

This item was continued at the request of staff.

URBAN PLANNING
& DESIGN
AGENDA COMMITTEE

(This item taken out of order)

17. URBAN PLANNING AND DESIGN: CIENEGA ROAD UPDATE AND
PROPOSED COST SHARING ARRANGEMENT – AUG2-04-387

Council Member Scott MOVED, SECONDED by Council Member Dunbar
that the City of Tucson accept the offer from the Vail School District to
provide \$1.33 million to jointly fund construction of Cienega Road and that
the City of Tucson agrees to fund and build Cienega Road. Further, staff is
directed to develop an intergovernmental agreement with Vail School District
to carry out this agreement and to proceed without delay to fund and
accomplish acquisition of the right-of-way and that construction of the road
be scheduled for completion by no later than July 1, 2005, in conjunction with
the opening of the proposed Empire High School.

Motion PASSED by a vote of 7 to 0.

URBAN PLANNING
& DESIGN

RECESS: 7:05 P.M.

RECONVENE: 7:16 P.M.

MAYOR AND COUNCIL: (ALL PRESENT, VICE-MAYOR RONSTADT
ARRIVED AT 7:20 P.M.)

STAFF: ALL PRESENT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. CALL TO THE AUDIENCE

- a. Ray Davies presented a report from the Human Relations Commission to the Mayor and Council.
- b. Michael Toney addressed the Mayor and Council regarding forecasts associated with the proposed Science Center and warned that the project is not feasible and will end up \$200 million in debt.
- c. Dan Harrigan addressed the Mayor and Council and noted concerns with the programming cuts imposed by Access Tucson management.
- d. Bill Katzel presented to Mayor and Council the "Platinum Challenge Update III".
- e. Deborah Rolinson addressed the Mayor and Council and noted concerns with the programming cuts imposed by Access Tucson management.
- f. Ray Figueroa urged the Mayor and Council to approve the AFSCME contracts on today's agenda and thanked the City of Tucson staff for the professional negotiations.
- g. Curtis Marshall addressed the Mayor and Council regarding the relocation of the Greyhound Bus Terminal.
- h. Dan Harrigan continued his presentation to the Mayor and Council.

8. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE *LAND USE CODE (LUC)*; REGARDING LANDSCAPING PROVISIONS – AUG2-04-436

ORDINANCE NO. 10016

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Dunbar to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Dunbar MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 10016.

Motion PASSED by a vote of 7 to 0.

URBAN PLANNING
& DESIGN

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

8. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE *LAND USE CODE (LUC)*; REGARDING LANDSCAPING PROVISIONS – AUG2-04-436 (Cont'd from previous page)

Council Member West requested staff monitor these amendments, particularly Item # 4 on page 2 of Attachment B. Should this become an issue, staff should return to Mayor and Council for direction.

URBAN PLANNING
& DESIGN
is informed

9. ZONING: (C9-02-12) OCHOA – ST. MARY’S ROAD, R-2 TO O-2, REACTIVATION AND TIME EXTENSION (CONT'D FROM MEETING OF JUNE 14, 2004) – AUG2-04-389

Council Member Ibarra MOVED, SECONDED by Council Member Scott to approve the request for reactivation, Rezoning Case C9-02-12, and approve the request as recommended by the City Manager.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES

10. ZONING: (C9-03-24) ABRAMS/ACEDO – FOURTH STREET, R-1/R-2 TO R-2, CITY MANAGER’S REPORT (CONT'D FROM MEETING OF JUNE 7, 2004) – AUG2-04-390

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Leal that this item be continued for 60 days as requested by the applicant.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEV.
SERVICES
AGENDA COMMITTEE

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>11. ZONING: (C9-03-23) LOWE’S – KOLB ROAD, C-1 TO C-2, ORDINANCE ADOPTION – AUG2-04-435</p> <p>ORDINANCE NO. 10017</p> <p>Council Member West MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance No. 10017.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p> <p>Vice-Mayor Ronstadt requested staff provide an analysis of new development versus redevelopment using an impact fee or a commercial impact fee as an incentive to promote redevelopment in the core of the City.</p>	<p><u>DIR. OF DEV. SERVICES</u></p> <p><u>URBAN PLANNING & DESIGN</u> is responsible</p>
<p>12. ZONING: (C9-03-04) CUMMINGS – MARTIN AVENUE, R-2 TO P, ORDINANCE ADOPTION – AUG2-04-437</p> <p>ORDINANCE NO. 10023</p> <p>Vice-Mayor Ronstadt MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 10023.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF DEV. SERVICES</u></p>
<p>13A. CITY EMPLOYEES: APPROVING A LABOR AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES COUNCIL 97, AFL/CIO (AFSCME); AND AMENDING CHAPTER 22 OF THE TUCSON CODE RELATING TO EMPLOYEE BENEFITS – AUG2-04-440</p> <p>RESOLUTION NO. 19915 ORDINANCE NO. 10019 ORDINANCE NO. 10020</p> <p>Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 19915.</p> <p>Motion <u>PASSED</u> by a vote of 7 to 0.</p>	<p><u>DIR. OF HUMAN RESOURCES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

- 13A. CITY EMPLOYEES: APPROVING A LABOR AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES COUNCIL 97, AFL/CIO (AFSCME); AND AMENDING CHAPTER 22 OF THE TUCSON CODE RELATING TO EMPLOYEE BENEFITS – AUG2-04-440 (Cont'd from previous page)

Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10019.

Motion PASSED by a vote of 7 to 0.

Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10020.

Motion PASSED by a vote of 7 to 0.

- 13B. TUCSON CODE: (CHAPTER 10) AMENDING THE SPECIAL RATE SCHEDULE OF THE COMPENSATION PLAN FOR THE CITY EMPLOYEE GROUP ELIGIBLE FOR REPRESENTATION BY AFSCME – AUG2-04-439

ORDINANCE NO. 10021

Council Member Scott MOVED, SECONDED by Council Member Leal to pass and adopt Ordinance No. 10021.

Motion PASSED by a vote of 7 to 0.

DIR. OF HUMAN
RESOURCES

14. FINANCE: FIXING AND LEVYING THE 2005 PRIMARY AND SECONDARY PROEPRTY TAXES – AUG2-04-423

ORDINANCE NO. 10015

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Dunbar to pass and adopt Ordinance No. 10015 with the following changes:

DIR. OF BUDGET
AND RESEARCH

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

14. FINANCE: FIXING AND LEVYING THE 2005 PRIMARY AND SECONDARY PROEPRTY TAXES – AUG2-04-423 (Cont'd from previous page)

On page 2 of the Ordinance, the blank should be filled in with the amount .3531 and on page 3 of the Ordinance, the blank should be filled in with the amount .8316.

Motion PASSED by a vote of 4 to 3 (Council Members Ibarra, Scott and Leal dissenting).

15. RIO NUEVO: INTERGOVERNMENTAL AGREEMENT WITH THE RIO NUEVO MULTIPURPOSE FACILITIES DISTRICT AND THE UNIVERSITY OF ARIZONA FOR FUNDING AND DEVELOPMENT OF THE UNIVERSITY OF ARIZONA SCIENCE CENTER – AUG2-04-438

RESOLUTION NO. 19914

Council Member Ibarra MOVED, SECONDED by Council Member West to pass and adopt Resolution No. 19914.

Motion PASSED by a vote of 7 to 0.

RIO NUEVO

16. WATER: NOTICE OF INTENTION TO ESTABLISH THE DIAMOND BELL ISOLATED WATER SYSTEM FEE, AND SCHEDULING A PUBLIC HEARING FOR OCTOBER 4, 2004 – AUG2-04-431

RESOLUTION NO. 19907

Vice-Mayor Ronstadt MOVED, SECONDED by Council Member Leal to pass and adopt Resolution No. 19907 and direct staff to file the Diamond Bell Isolated Water System Fee Study, which includes the proposed fees schedule, with the City Clerk; and establish October 4, 2004, as the date for a public hearing on the proposed fee.

Motion PASSED by a vote of 7 to 0.

DIR. OF WATER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

18. APPOINTMENTS TO BOARDS, COMMISSIONS AND
COMMITTEES – AUG2-04-388

Council Member Scott MOVED, SECONDED by Council Member Leal to:

reappoint Larry Young, Thomas Addison, Ray Mason, Jerry Duffy and
Robert Brown to the Electrical Code Committee (Joint City/County);

reappoint Jo McClure (Property Owner) and Minette Burges (Special
Qualifications) to the Fort Lowell Historic Zone Advisory Board;

appoint W. Mark Clark, Melody Flores, Ricardo Jasso, Don Jorgensen and
Raj Kohli to the Pima County/City of Tucson Commission on Addiction,
Prevention and Treatment; and

ratify the appointment of Megan Bullock to the Pima County/Tucson
Women's Commission.

Motion PASSED by a vote of 7 to 0.

Council Member Dunbar announced her personal appointment of Bill Holmes
to the Human Relations Commission.

CITY CLERK

19. ADJOURNMENT: 8:20 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held
on Tuesday, September 7, 2004, at 5:30 p.m. in the Mayor and Council
Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.